

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATIONAL COALITION ON BLACK  
CIVIC PARTICIPATION, MARY WINTER,  
GENE STEINBERG, NANCY HART,  
SARAH WOLFF, KAREN SLAVEN, KATE  
KENNEDY, EDA DANIEL, and ANDREA  
SFERES,

Plaintiffs,

v.

JACOB WOHL, JACK BURKMAN, J.M.  
BURKMAN & ASSOCIATES, LLC,  
PROJECT 1599, and JOHN and JANE DOES  
1-10,

Defendants.

Civil Action No.: 20-cv-8668

Upon the accompanying Declarations of Tameka Ramsey, Mary Winter, Gene Steinberg, Nancy Hart, Sarah Wolff, Kate Kennedy, Karen Slaven, Eda Daniel, and Andrea Sferes, Plaintiffs' Memorandum of Law in Support of Temporary Restraining Order and Preliminary Injunction, the Complaint and all other papers filed herein,

**IT IS HEREBY ORDERED** that the Defendants in this action show cause before this Court in Room \_\_\_\_ of the United States Courthouse, 40 Foley Square, New York, New York, on October \_\_\_\_, 2020 at \_\_\_\_ a.m./p.m., or as soon thereafter as counsel may be heard, why an Order should not be issued pursuant to Rule 65 of the Federal Rule of Civil Procedure, preliminarily enjoining, pending a finding of judgment in this action, Defendants from engaging, or causing anyone else to engage, in communications that (a) intimidate, or attempt to intimidate, voters in violation of Section 11(b) of the Voting Rights Act, or (b) intimidate, or attempt to intimidate, any person seeking to give support or advocacy in favor of a candidate in a federal election, in violation of Section 1985 of Title 42 of the U.S. Code;

**IT IS FURTHER ORDERED** that, sufficient reason having been shown therefore, pursuant to Rule 65 of the Federal Rules of Civil Procedure, preliminarily enjoining, pending a finding of judgment in this action, Defendants from engaging in, or causing anyone else to engage in, robocalls or similar forms of communications sent directly to multiple recipients (such as text messaging), without prior written express consent of each recipient or approval of this Court, through at least November 3, 2020;

**IT IS FURTHER ORDERED** that, sufficient reason having been shown therefore, pursuant to Rule 65 of the Federal Rules of Civil Procedure, preliminarily enjoining, pending a finding of judgment in this action, Defendants to keep records of each such communication discussed in the previous two paragraphs (including a copy of the communication, the name and contact information of each person contacted, the content of the message, any consents obtained, and the date and time of the communication) until the conclusion of this litigation;

**IT IS FURTHER ORDERED** that service of a copy of this Order, together with the supporting papers upon which the same was granted, by overnight mail upon the Defendants or their counsel on or before \_\_\_\_ a.m./p.m. on October \_\_, 2020, shall be deemed good and sufficient service of this Order;

**IT IS FURTHER ORDERED** that Defendants' opposing papers, if any, shall be served by electronic email upon Plaintiffs' counsel, no later than 5:00 p.m. on October \_\_, 2020; and

**IT IS FURTHER ORDERED** that Plaintiffs' reply papers, if any, shall be served by electronic mail upon Defendants or their counsel, at the email addresses provided, by no later than 5:00 p.m. on October \_\_, 2020.

Dated: October \_\_, 2020

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United States District Judge